

EXHIBIT 3

1 **HYDEE FELDSTEIN SOTO**, City Attorney (SBN 106866)
2 **DENISE C. MILLS**, Chief Deputy City Attorney (SBN 191992)
3 **SCOTT MARCUS**, Chief Asst. City Attorney (SBN 184980)
4 **CORY M. BRENTÉ**, Senior Assistant City Attorney (SBN 115453)
5 **TY A. FORD**, Deputy City Attorney (SBN 218365)
200 North Main Street, 6th Floor, City Hall East
Los Angeles, CA 90012
Phone No.: (213) 978-6900; Fax No.: (213) 978-8785
Email: Ty.Ford@lacity.org

6 *Attorneys for Defendant, CITY OF LOS ANGELES*

7
8 **MICHAEL P. STONE**, SBN 91142
9 **MUNA BUSAILAH**, SBN 166328
Email: m.busailah@police-defense.com
10 Members of **STONE BUSAILAH, LLP**
11 *A Partnership of Professional Law Corporations*
Email: d.danial@police-defense.com
12 1055 East Colorado Boulevard, Suite 320
Pasadena, California 91106
Telephone: (626) 683-5600
Facsimile: (626) 683-5656

13 *Attorneys for Defendants, JOSE ZAVALA and*
14 **JULIO QUINTANILLA**

15 **UNITED STATES DISTRICT COURT**
16 **CENTRAL DISTRICT OF CALIFORNIA**

17 **MARGARITO T. LOPEZ, SONIA**
18 **TORRES, KENI LOPEZ, ROSY**
19 **LOPEZ,**

20 Plaintiffs,

21 v.

22 **CITY OF LOS ANGELES, JOSE**
23 **ZAVALA, JULIO QUINTANILLA,**
24 **AND DOES 1 THROUGH 10,**
25 **INCLUSIVE,**

26 Defendants.

CASE NO. 2:22-cv-07534-FLA-MAAx
[Assigned to: Judge Aenlle-Rocha, USDC-1st CtHse, Ctrm 6B;
Mag. Audero, USDC-Roybal Bldg, Ctrm 690]

**DEFENDANTS' JOINT INITIAL
DISCLOSURE OF EXPERT
WITNESSES**

[FRCP RULE 26(a)(2)]

27 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD HEREIN:**
28

Pursuant to the provision of Federal Rules of Civil Procedures, Rule 26, Defendant **CITY OF LOS ANGELES, JOSE ZAVALA** and **JULIO QUINTANILLA** hereby designates its list of expert witnesses who may be called at the time of trial:

RETAINED EXPERTS:

1. James (Jamie) Borden, CRITICAL INCIDENT REVIEW (C.I.R.) 3870 E. Flamingo Rd. Suite 511, Las Vegas, Nevada 89121.

Mr. Borden is a police practices and procedures expert. Mr. Borden is a retained expert whose fees are \$300.00 per hour for deposition testimony (two-hour minimum) and \$2,500.00 per day for courtroom testimony. The general substance of Mr. Borden's testimony will address his background, training and experience; his review of the facts and circumstances of this incident; his review of the materials and depositions in this case; and the applicable police practices and procedures, including but not limited to the use of deadly force in this incident. Mr. Borden's curriculum vitae, fee schedule and testimonial record are attached hereto as Exhibit "A". Mr. Borden's expert report will be provided forthwith.

NON-RETAINED EXPERTS:

As non-retained experts whose duties do not regularly involve giving expert testimony, the written requirements of F.R.C.P. 26(a)(2)(A) is not applicable. Accordingly, the Defendant intends to call the following witnesses at the time of trial, subject to further orders of the court and/or stipulations of the parties:

1. Tannor Agor, Firefighter/Paramedic, LAFD; may be contacted through the Los Angeles Fire Department. The general substance of LAFD Firefighter/Paramedic Agor's testimony will address his response to the location of the incident, his observations of the decedent and his injuries, and any medical treatment he rendered to the decedent.

(i) *The subject matter on which the witness is expected to present evidence:*
Los Angeles City Fire Department's practices and procedures as it relates to

1 responding to calls for service and rendering pre-hospital emergency medical
2 treatment and the specific events involved in the response and treatment to the
3 decedent.

4 (ii) *A summary of the facts and opinions to which the witness is expected to*
5 *testify:* The facts are those known to the parties through discovery, including
6 depositions and materials produced through discovery, as well as the memory and
7 testimony of persons who may testify at trial. In summary, however,
8 Firefighter/Paramedic Agor is expected to testify as to any pre-hospital medical
9 evaluation and treatment he rendered to the decedent and his observations of the
10 decedent and his injuries.

11 **2. Matthew Farris**, Firefighter/Paramedic, LAFD; may be contacted
12 through the Los Angeles Fire Department. The general substance of LAFD
13 Firefighter/Paramedic Farris's testimony will address his response to the location of
14 the incident, his observations of the decedent and his injuries, and any medical
15 treatment he rendered to the decedent.

16 (i) *The subject matter on which the witness is expected to present evidence:*
17 Los Angeles City Fire Department's practices and procedures as it relates to
18 responding to calls for service and rendering pre-hospital emergency medical
19 treatment and the specific events involved in the response and treatment to the
20 decedent.

21 (ii) *A summary of the facts and opinions to which the witness is expected to*
22 *testify:* The facts are those known to the parties through discovery, including
23 depositions and materials produced through discovery, as well as the memory and
24 testimony of persons who may testify at trial. In summary, however,
25 Firefighter/Paramedic Farris is expected to testify as to any pre-hospital medical
26 evaluation and treatment he rendered to the decedent and his observations of the
27 decedent and his injuries.

1 **3. Eric Lazar**, Firefighter/Paramedic, LAFD; may be contacted through
2 the Los Angeles Fire Department. The general substance of LAFD
3 Firefighter/Paramedic Lazar's testimony will address his response to the location of
4 the incident, his observations of the decedent and his injuries, and any medical
5 treatment he rendered to the decedent.

6 (i) *The subject matter on which the witness is expected to present evidence:*
7 Los Angeles City Fire Department's practices and procedures as it relates to
8 responding to calls for service and rendering pre-hospital emergency medical
9 treatment and the specific events involved in the response and treatment to the
10 decedent.

11 (ii) *A summary of the facts and opinions to which the witness is expected to*
12 *testify:* The facts are those known to the parties through discovery, including
13 depositions and materials produced through discovery, as well as the memory and
14 testimony of persons who may testify at trial. In summary, however,
15 Firefighter/Paramedic Lazar is expected to testify as to any pre-hospital medical
16 evaluation and treatment he rendered to the decedent and his observations of the
17 decedent and his injuries.

18 **4. Craig Shubsda**, Firefighter/Paramedic, LAFD; may be contacted
19 through the Los Angeles Fire Department. The general substance of LAFD
20 Firefighter/Paramedic Shubsda's testimony will address his response to the location
21 of the incident, his observations of the decedent and his injuries, and any medical
22 treatment he rendered to the decedent.

23 (i) *The subject matter on which the witness is expected to present evidence:*
24 Los Angeles City Fire Department's practices and procedures as it relates to
25 responding to calls for service and rendering pre-hospital emergency medical
26 treatment and the specific events involved in the response and treatment to the
27 decedent.

28 (ii) *A summary of the facts and opinions to which the witness is expected to*

1 *testify*: The facts are those known to the parties through discovery, including
 2 depositions and materials produced through discovery, as well as the memory and
 3 testimony of persons who may testify at trial. In summary, however,
 4 Firefighter/Paramedic Shubsda is expected to testify as to any pre-hospital medical
 5 evaluation and treatment he rendered to the decedent and his observations of the
 6 decedent and his injuries.

7 **5. Doctor Joshua Spring, MD** - Los Angeles County University of
 8 Southern California Medical Center; may be contacted at Los Angeles County
 9 University of Southern California Medical Center. The general substance of Dr.
 10 Spring's testimony will address his observations of the decedent and his injuries at
 11 the hospital, and any medical treatment he rendered to the decedent.

12 (i) *The subject matter on which the witness is expected to present evidence:*
 13 His emergency medical treatment and the specific events involved in the response
 14 and treatment to the decedent.

15 (ii) *A summary of the facts and opinions to which the witness is expected to*
 16 *testify*: The facts are those known to the parties through discovery, including
 17 depositions and materials produced through discovery, as well as the memory and
 18 testimony of persons who may testify at trial. In summary, however, Dr. Spring is
 19 expected to testify as to any hospital medical evaluation and treatment he rendered to
 20 the decedent and his observations of the decedent and his injuries.

21 **6. Doctor Brian Knipp, MD** - Los Angeles County University of
 22 Southern California Medical Center; may be contacted at Los Angeles County
 23 University of Southern California Medical Center. The general substance of Dr.
 24 Knipp's testimony will address his observations of the decedent and his injuries at the
 25 hospital, and any medical treatment he rendered to the decedent.

26 (i) *The subject matter on which the witness is expected to present evidence:*
 27 His emergency medical treatment and the specific events involved in the response
 28 and treatment to the decedent.

(ii) *A summary of the facts and opinions to which the witness is expected to testify:* The facts are those known to the parties through discovery, including depositions and materials produced through discovery, as well as the memory and testimony of persons who may testify at trial. In summary, however, Dr. Knipp is expected to testify as to any hospital medical evaluation and treatment he rendered to the decedent and his observations of the decedent and his injuries.

7. Brice Hunt, M.D., Los Angeles County Deputy Medical Examiner; may be contacted at the Los Angeles County Coroner's Office. Coroner who performed the post-mortem examination of the Decedent's remains. He may be contacted via the Los Angeles County Coroner's Office.

(i) *The subject matter on which the witness is expected to present evidence:* Los Angeles County Coroner Office's practices and procedures as it relates to conducting autopsies and preparing reports concerning autopsies and the autopsy of the decedent.

(ii) *A summary of the facts and opinions to which the witness is expected to testify:* The facts are those known to the parties through materials produced through discovery – in particular, the coroner's report – as well as the memory and testimony of persons who may testify at trial. In summary, Dr. Hunt is expected to testify as to the autopsy he performed on the decedent and his review of any and all other reports that he reviewed and/or relied upon in reaching his conclusion as to the manner of death of the decedent. Dr. Hunt's opinions and determinations as to the cause and manner of death and any injuries on the decedent's body are contained in the case/autopsy report already in the possession of the Plaintiff.

8. Sarah Buxton de Quintana, Supervising Criminalist Toxicology, Los Angeles County Medical Examiner's Office; may be contacted through the Los Angeles County Coroner's Office. She approved a Laboratory Analysis Summary Report regarding ethanol alcohol, marijuana, and other substances, in the Decedent's system at the time of death, She may be contacted via the Los Angeles County

1 Coroner's Office.

2 (i) *The subject matter on which the witness is expected to present evidence:*
 3 Los Angeles County Coroner Office's practices and procedures as it relates to death
 4 investigations and the post-mortem testing of blood.

5 (ii) *A summary of the facts and opinions to which the witness is expected to*
 6 *testify:* The facts are those known to the parties through discovery, including
 7 depositions and materials produced through discovery, as well as the memory and
 8 testimony of persons who may testify at trial. In summary, however, Ms. Buxton de
 9 Quintana is expected to testify as to her investigation into the death of the decedent,
 10 reports she prepared, and her review of any other reports and/or any evidence she
 11 collected. Her professional determinations are contained in the toxicology reports
 12 already in the possession of Plaintiff (DEF 0074).

13 Defendant reserves his right to (1) retain additional expert witnesses, should it
 14 become necessary following the deposition testimony of the various expert witnesses
 15 involved herein; (2) call any and all parties, their employees or in-house expert
 16 witnesses; (3) call any and all experts designated by any other party in this case; and
 17 (4) call any and all medical practitioners who have provided any medical attention,
 18 observation, treatment or care to Plaintiff or the Decedent.

19 Defendant further reserves the right to identify and call any rebuttal expert
 20 witnesses as provided for under the Federal Rules of Civil Procedure.

21
 22 Dated: 2/16/2024

Respectfully submitted,

23 **HYDEE FELDSTEIN SOTO**, City Attorney
 24 **DENISE C. MILLS**, Chief Deputy City Attorney
 25 **SCOTT MARCUS**, Chief Asst. City Attorney
 26 **CORY M. BRENT**, Senior Assistant City Attorney

27 By: Ty A. Ford

28 TY A. FORD, Deputy City Attorney
 Attorneys for Defendant, CITY OF LOS ANGELES

1 Date: February 16, 2024

STONE BUSAILAH, LLP

2 By: *Muna Busailah*

3 **MUNA BUSAILAH, Esq.**

4 Attorney for Defendants **JOSE ZAVALA** and

5 **JULIO QUINTANILLA**

EXHIBIT A



CURRICULUM VITAE

JAMES (JAMIE) BORDEN

CRITICAL INCIDENT REVIEW (C.I.R.)

3870 E. FLAMINGO RD. SUITE 511, LAS VEGAS, NEVADA 89121

(702-373.4737). | . JAMIEBORDEN@CRITICALINCIDENTREVIEW.COM

Expert: Police Use-of-Force, Police training and related police performance; police procedure; police practice and policy; and forensic video review and analysis.

PROFESSIONAL ASSIGNMENTS

2019-Present: Co-founder, The Association of Force Investigators, (AFI) www.forceinvestigators.com

2018-Present: Founder, Critical Incident Review (CIR), Lead Instructor and Lecturer,
www.criticalincidentreview.com

2018-Present: Investigations/Instructor, Forensic Video Investigations and analysis

2014-present: Expert Witness; Police Performance Dynamics/ Use-Of-Force/Police Practice and Training/Forensic Video & Audio Examination

2013-Present: Instructor, Force Science Institute Certification Course/Two-Day Courses

2007-Present: Henderson Police Department (H.P.D.) Sergeant (Retired), Henderson, Nevada

2001-Present: Videographer/Producer/Editor/Forensic Video Analyst, Studio 824 Video Production

1997-2006 / 2008-Present: Nevada P.O.S.T. Certified Law Enforcement (Advanced Certificate)

2008-2018 / 1997-2001: Police Officer/Sergeant, H.P.D., Henderson, Nevada

2013-2019: Staff/Presenter/Educator, Force Science Institute

2016-2019: Senior Instructor, Force Science Institute

2017-2018: *Sergeant, Use-of-Force Training and Analysis Unit, Training Bureau, P.E.A.P.*

2012-2016: *Officer/Sergeant, Use-of-Force Training and Analysis Unit, including Critical Incident Investigations and Review*

2010-2012: *In-Service Training Officer/Officer-in-Charge (OIC), Acting Sergeant, Firearms Instructor*

2010-2018: *Development of the Use-of-Force Training and Analysis Unit, including; 1800+ (perpetual) hours of logged instruction time focused in Use-of-Force, policy, objective reasonableness, decision making, effective communications, de-escalation, force report writing, defeating complacency, firearms, defensive tactics, force-on-force reality-based training, taser, and decision-based simulator training.*

2011-2018: *Patrol relief officer and Patrol relief Sergeant*

2008-2010: *Patrol Officer/Officer-in-Charge (OIC)*

2000-2001: *Undercover Narcotics Detective*

1997-2000: *Patrol Officer/Officer-in-Charge (OIC)*

1984-1997: Engineering Technician IV - Roadway & Structural Engineering and Construction, Nevada

Department of Transportation Construction Division; Survey, Materials Testing, Contract Administration, Project Engineering

CERTIFICATIONS

2022

- Law Enforcement & Emergency Responders Video Association (LEVA) Level 1

2018

- Nevada P.O.S.T. Advanced Police Officer Certification
- Taser Instructor (Taser International)

2017

- Certificate of Completion, Video Examination for the Police Investigator

2015

- Nevada P.O.S.T. Intermediate Police Officer Certification
- Taser Instructor (Taser International)

2013

- Advanced Force Science Analyst Certification
- Excited Delirium Instructor (Institute for the Prevention of In-Custody Death)
- Taser Instructor (Taser International)
- Glock Armorer (Glock)

2012

- Force Science Analyst (Force Science) Certification
- Certified Litigation Specialist (A.E.L.E.) Americans for Effective Law Enforcement
- NRA Certified Firearms Instructor, handgun and rifle

2011

- Taser Instructor (Taser International)

1997/2008

- Nevada P.O.S.T. Basic Police Officer Certification

RELEVANT EXPERIENCE

In November of 2020 the following classes regarding police performance factors, investigations, interviews, reviews, and analysis were released through Critical Incident Review, LLC:

- Enhanced Force Investigations; Applying Science, Evidence-based Methods & The Cognitive Interview Process.
- Leadership Perspective - Force Investigations and Analysis.
- Street Cops Perspective; Human Factors and Critical Force Dynamics.
- Force Investigations - Video Review and Examination.

In July of 2020, I co-founded the Association of Force Investigators with Dr. Paul Taylor. The Association of Force Investigators is a hub for any professional involved in force investigations, review, analysis, or adjudication process. The AFI provides continuing education for its members, provided by top specialists in their respective areas; biomechanics, psychology, human-factors, investigations, expert work, forensic video examination, human error and more. In February of 2020 I released and began lecturing and certifying participants regarding the investigation of use-of-force incidents; focusing on performance factors, video examinations, and investigator biases coupled with the Cognitive Interview (CI) process. This Certification class has been released under my company, Critical Incident Review, (CIR) (See Certification Class dates below in "Public Speaking and Instruction"). The Cognitive Interview portion of the CIR Certification Course is being taught with intellectual rights permission and the sanctification of Dr. Edward Geiselman. Dr. Edward Geiselman is the co-developer of the Cognitive Interview technique, see attached declaration of Dr. Edward Geiselman. Dr. Geiselman retired as a Professor of Psychology at the [University of California, Los Angeles \(UCLA\)](#), after over 30 years of service. He has published more than 100 research papers in social-science and police-science journals, and he is the author of five books. Dr. Geiselman has given full authority to Dr. Paul Taylor, myself and CIR to lecture on and certify participants using the concepts related to his material. The material has been refined by me along with Dr. Paul Taylor by focusing the CI process on the investigation of police officers involved in a critical incident.

In 2018, I assisted in the development of the De-escalation Course as well as blocks of instruction on topics such as, Body Worn Camera; Force Investigations. These courses of instruction are currently available through The Force Science Institute.

From 2012 until my retirement in 2018, my position at H.P.D. was focused on the study and application of police performance factors and decision-making as it applies to police practice, training and policy regarding deadly force situations and critical incidents. During that time, I was responsible for the management and oversight of Use-of-Force for H.P.D. This management and oversight included, but is not limited to, investigations of Use-of-Force and critical incidents on the department, policy review, policy writing and Use-of-Force training. I was also responsible for the periodic review of all policies pertaining to force and/or force implementations, i.e., Taser, baton, pepper spray, and others, updating those policies and subsequently training officers of H.P.D. in any revisions and updates to those policies. In addition, I was responsible for the lesson plan development, and presentation, of all Use-of-Force and 4th amendment seizure related citizen contact courses, presented to the following: H.P.D. Citizens' Academy, Regional Law Enforcement Academy (S.D.R.P.A.), and all H.P.D. in-service Use-of-Force Training.

I have a total of 1,370 hours of current and continuing focused education, and application in the field of police officer decision-making and police performance factors (human factors) as they relate to officer involved critical incidents. I currently have 2,000 hours (in perpetuity) of documented Instruction time as a lead and senior lecturer combined with H.P.D., The Force Science Institute, as well as independent instruction and public speaking with my company, CIR. I have 8 years of experience in the application of police performance elements to real world scenarios in investigations, reporting, presenting and application to deposition and litigation with H.P.D., as well as experience as an expert witness in research, report writing, deposition and testimony.

Besides the 30 credits above in criminal justice, I have 15 additional credits with a focus on human behavior and psychology at CSN, the SDRPA Police Academy and The Force Science Institute; 256 hours of Nevada P.O.S.T. certified training hours; and speaking and instruction with H.P.D. (while in service) and The Force

Science Institute where I was on staff as an instructor in the 50-hour Force Dynamics/Certification Class, the two-day focused presentations, the 4-hour introduction courses, and the two-day Body Worn Camera Class.

I promoted to Senior Instructor with The Force Science Institute, in April of 2016. I train officers from all over the world in police performance dynamics and decision-making as applicable to the law enforcement profession. I was the pilot student for The Advanced Certificate at The Force Science Institute, where I assisted in developing the "Force Science Advanced Specialist" Certification curriculum for all future graduates. I subsequently became the first "Certified Advanced Specialist" for The Force Science Institute.

In addition, I have participated in scientific studies conducted by The Force Science Institute as a consultant, where I assisted in gathering information and recording empirical data on the study and the associated findings. The subsequent study findings and data were peer reviewed and published as industry journals, industry periodicals, and web-based articles. All of the research conducted by The Force Science Institute is published on the Force Science web site www.forcescience.org.

With a parallel vocation in videography, I am well-versed and active in pre- and post-video production and pre- and post-audio production, with technical application experience conducting video review in multiple editing software programs including; Input Ace, Adobe Premier Pro, Sony Vegas, Final-Cut Pro, Pro Tools Audio, and Avid, as well as the associated hardware and software used with those programs.

I have interpreted and assisted in the processing of video at the request of The Force Science Institute for the purposes of frame-by-frame analysis and fact finding within my area of expertise. I was involved in video editing and production for a civilian/citizen-based web-site being developed by The Force Science Institute that will educate the public on police-related incidents, with a focus on understanding the police performance dynamic and the elements of police based decision-making in these incidents and the effects on police officers in a critical incident.

Prior to my retirement from H.P.D., I created the Citizens' Academy Use-of-Force block of instruction. I was also the Sergeant in charge of the City of Henderson's Citizens' Academy, educating citizens in our community on critical police incidents and police Use-of-Force. This was a discussion-based course of instruction that encompassed the citizens' perception of police Use-of-Force from the perspective of the media. This class covered police training concepts in the technical aspects of force i.e., firearms training, baton, OC spray and other implementations, but focused on the decision-making process and constitutionally balanced policy and procedure as it applies to police work. Citizens were then given an overview of case law and the application of case law to policy and ultimately the judgment of an officer's decision-making process.

Use-of-Force Training and Analysis:

In cooperation with the former Chief of Police of H.P.D. and as a member of the Training Bureau leadership team, I developed and implemented the "Use-of-Force Training and Analysis Position." This Position then evolved into the Use-of-Force Training and Analysis Unit. The responsibilities of this position/Unit entail oversight and management of all aspects of Use-of-Force, Use-of-Force reporting, statistical analysis, trend identification, and force investigations for the analysis of Use-of-Force as an internal function. The position is a resource for line officers, line supervision, management and administration in Use-of-Force reporting, force analysis, force review and administrative force investigations.

Policy

In the Use-of-Force Training and Analysis Position, I am also responsible for continuing periodic reviews and updates to the Use-of-Force Policy and associated training. Additionally, the position/unit tracked statistical data through accountability software, reviewed Use-of-Force reports, reviewed all department Use-of-Force in the context of critical incident reviews, and administrative investigations, created lessons learned presentations and which were available to all employees as a Use-of-Force resource.

Training

The position of "Use-of-Force Training and Analysis" was instrumental in critical incident reviews and force investigations for gleaning lessons learned, which are then developed into a lesson plan. The lessons learned were then disseminated to H.P.D. in the form of implemented policy changes, mechanical and discretionary training, and improved pre- and post-preparations for investigations of officer involved critical incidents.

A primary component of this position as an investigator and being in charge of the analysis of force for a department of approximately 500 sworn officers was video examination related to use-of-force. I have extensive training in video examination related to law enforcement and police use of force. (listed below)

Case Law Pertaining to 4th Amendment and Use-of-Force

A crucial element in these critical incident reviews is knowledge and application of relevant case law regarding Use-of-Force and implementing an analysis and comparison of case law, then integrating into policy and training. In reviewing Use-of-Force and critical incidents, a comparison to the Supreme Court decision of *Graham v. Conner* and the use of the Calculus for Objective Reasonableness as the standard by which Use-of-Force is judged is implemented and applied to each case. The findings are objective and can be applied to policy and training, as well as to better future investigations.

Critical Incident Investigations: 2012-2018

In this position, I conducted the critical incident reviews of officer involved shootings, Use-of-Force, high liability or abnormal incidents using a checklist encompassing the decision-making analysis, police performance factors and other non-criminal elements. The investigative analysis of an officer involved critical incident is much more involved than a standard criminal investigation and requires a basis for critical time-lines and the decisions made during the incident. The checklist above has been developed and vetted by Critical Incident Review, conceptually introduced through consultation, training and lecturing to departments Nation Wide.

Mobil Audio Video (MAV) Body Worn Camera (BWC) system implementation. The Use of Force Training and Analysis Unit was involved in the RFP and testing process for the implementation of both in car and BWC video systems. This process included physical testing of the equipment, developing "needs" and ultimately departmental policy development and training in the use of the device.

The investigation and reviews focus on lessons learned and are compared to current:

- Constitutionality of the Use-of-Force
- Tactics
- Existing Training
- Policy & Procedure

- Department Culture
- Police performance and Incident characteristics Identified During the Investigation

This report is completed and presentable for:

- Identifying lessons learned and recycling those lessons back into the agency as efficiently as possible;
- Corrective actions, counseling and individual training;
- Policy or procedure development and/or changes and updates;
- Identification of training or equipment needs; and
- Ultimately, for any civil purposes that may arise.

This report is the equivalent of a forensic reconstruction investigation of the incident specifically for a civil trial. With this forensic investigation and report being conducted parallel with the criminal investigation, the information is readily available, and no need exists to reconstruct a scene that may be several months old. Lessons learned from this type of investigation range from the involved officers, to involvement of specialized units, and dispatch, to tactics, policy and police best practices.

Use-of-Force Instruction:

In-Service

Annually, through case review, statistical analysis of H.P.D.'s Use-of-Force cases, and review of yearly Supreme Court cases, I prepared and instructed the Use-of-Force training and lesson plans for H.P.D..

This Instruction includes mechanical training; i.e. court decisions and continued exposure to current case law, the Calculus for Objective Reasonableness, definitions, elements of deadly and non-deadly force and policy review and update, including, but not limited to:

- Updates regarding current applicable case law decisions
- Current Trends in Tactics and Decision-Making
- Report Writing / Documentation / Investigation
- *Graham v. Connor* & Objective Reasonableness
- Excessive Force / Unnecessary Force
- De-Escalation / Resource Management
- Post Incident Management / Care
- Crisis Decision Making

These elements are then incorporated in individual classes for Taser, Less-Lethal, Defensive Tactics, and Firearms instruction for a continuous overlap of pertinent information and lessons learned.

Academy Recruit Training:

The "Use-of-Force Training and Analysis" Position was responsible for the training of all new recruits in Use-of-Force and Use-of-Force report writing. I prepared and updated all police academy Use-of-Force lesson plans and submitted for Nevada P.O.S.T. approval. This material was taught to a multi-jurisdictional academy (S.D.R.P.A.)

Citizens Academy Training:

I was responsible for the training of our Citizens' Academy in the field of Use-of-Force. I have prepared a course of instruction specifically for the Citizens' Academy that focuses on the education of our community's citizens' in Officer Involved Shootings, media exposure to officer involved critical incidents, and our constitutional standards for using force at any level. During our Citizens' Academy, a 13-week seminar designed to expose citizens to modern policing, I relayed personal experiences, common occurrences and the dynamics that occur in police shootings. We created officer involved shooting scenarios in a simulator and allowed citizens to feel the effects of stress during a critical incident. We then walk citizens through the investigation process and convene a mock Use-of-Force board using the citizens, officers and training bureau leadership for a "real world feel" of what occurs during and after an officer involved critical incident.

The citizens that graduate the Citizens' Academy are then used in our department's Use-of-Force Review board, referred to as the Police Action Review Committee or P.A.R.C. process.

Prior to actual Use-of-Force boards, I provided non-incident specific, unbiased instruction to the citizens selected to sit on the board in:

- Constitutional Use-of-Force
- Common Police Procedure and Tactics
- Department Policy
- Police Performance Factors

Police Action Review Committee member:

As a non-voting member of H.P.D.'s Use-of-Force board I provided technical data as needed to the board, which included, Deputy Chiefs, Superintendents, upper administration, Sergeants, line officers and three civilians). During the P.A.R.C., process I was responsible for addressing questions related to:

- Law Enforcement Training
- Police Performance Factors and Police Decision-Making related to police practice, training and policy
- General police procedure and practice
- Equipment Specific Data (Less Lethal, Taser, Firearms)
- Limitations and Context of In-Car Video/Body Worn Cameras and Video Analysis
- Guiding Case Law Related to Law Enforcement

The above information is gleaned through the Use-of-Force Investigation or Critical Incident Review referred to above.

Virtra300 Training and Decision-Making Simulator: I prepared lesson plans in decision-based force and non-force scenarios, Use-of-Force option training, firearms manipulation training, weapons transition training and verbal control and incident diffusion.

EDUCATION AND TRAINING

- Digital Media Evidence Training Symposium - LEVA - 2022, San Diego, CA
- Law Enforcement & Emergency Responders Video Association – LEVA – Santa Clara County District Attorney’s Crime Lab – San Jose; Leva Certification Course – San Jose CA. 10/17-21/2022 (Certification Course)
 - Video Analysis Best Practices, Report constructs for Video Extraction
 - Digital video overview
 - Compression theory
 - Video extraction Methodology
 - Authentication and Integrity Verification
 - File Formats, Codecs and Containers
 - Photoshop 1-2
 - Digital/Analog Video and the Law
 - Networking / Connectivity for Video Extraction
 - Utilizing a Screen Capture Methodology
 - Ethics for Video Experts
- Human Factors & Ergonomics Society – Forensic Professional Technical Group - HF Consulting / Expert Testimony in Law Enforcement. 09/08/22
- Force Investigations: A Leaderships Perspective. Ken Wallentine 12/1/21
- Navigating Policies during a Use-of-force Investigation. 11/30/21
- Human Performance in Use of Force, Dr. William Lewinski 12/2/21
- Speed and Motion / Interpreting use of force from video images. Joshua Guthrie / Grant Fredricks 12/2/21
- Unmasking the truth behind video driven investigations of police use of force. Grant Fredericks 12/1/21
- De-escalation and mental health response, Eric Daigle 11/30/21
- The Psychology of Deadly Force Encounters 60 day reading task w/ seminar. Dr. Paul Taylor and Dr. Alexis Artwohl
- Investigating Human Error – 60 day reading task w/ seminar. Dr. Paul Taylor
- ONLINE VIDEO EVIDENCE TRAINING SYMPOSIUM
 - Conducting a Video-Centric Investigation, Grant Fredricks
 - Legal Issues and Trends Related to Video Admissibility, Eric Diagle
 - Analysis and Interviews for Force Investigations, Dr. Paul Taylor
 - Violent Crime Digital Evidence Recovery During Covid-19. How Major Cities Are Adjusting Workflows
 - Calculating Accurate Timing From Video, Andrew Fredricks
 - DVR Evidence Recovery – The Good, the Bad and the Ugly, Tim Bate
 - Photoshop in the Video Analysis Workflow
 - Video Evidence and Photogrammetry - From the Field Through Analysis
- DLG Use-of-Force Summit, December 3-5, 2019
 - Use-of-Force current trends
 - De-escalation, Incapacitation
 - Mitigating Tactic Risk
 - Legal Standards for Corrections Use-Of-Force
 - Use-of-Force Review Boards
 - Excited Delirium, what every officer should know
 - Defensive Tactics Application and training issues for corrections
 - How video is being weaponized
 - Priming study for dispatched information
 - Use-of-force Training/quantification and measurement
 - Uncovering hidden evidence in video
 - IA preparation for an OIS internal investigation
 - Read recognize and respond.
 - Force reporting and investigations
 - Public perception of Police Use-of-Force
 - Presenting Officer Involved shooting to a Grand Jury

- Police and Media Relations
- Force Science Institute - Nervous system, the impact stress has on vision, hearing and memory, and the perceptual distortions that stress can create.
 - Approximately 76 hours of focused study with Dr. Mathew Sztajnkrycre, Dr. David Hines, and Dr. Ann Messer.
- DLG – Use of Force Summit, November 27-30, 2018
 - Use of Force Current trends, Legal standards for policy and training, Eric Daigle
 - De-escalation and mental illness, Eric Daigle
 - De-escalation for training and operations, John McMahon LAPD
 - Arrest related death investigations, Attorney Isaiah Fields, AXON
 - TASER medical research training to mitigate risk, Dr. Donald Dawes, AXON
 - Force Reporting and Force Investigations, Attorney Eric Daigle
 - Use-of-Force Training, Transfer, Deployment and court, Kevin Dillon L.O.C.K.U.P. Training
 - Preparing an internal OIS investigation for Review, LT. Alan Yu
 - Officer Involved shootings, a different perspective, Attorney Eric Daigle
 - Tactical Communication and De-escalation, Cpt. Shawn Case
 - Force reporting for the Instructors, Cpt. Shawn Case
- Force Science - Association of Force Science Conference, October 22-26, 2018
 - Science in the courtroom, Eric Daigle Esq., (Use of force Expert, Advanced Specialist)
 - Preventing Tragedies through the application of Human Factors and performance issues. Mike Ranalli Chief (Ret.)
 - Law Enforcement Training, Lon Bartel, SME Virtra Simulator.
 - The Bridge from De-Escalation to the Use of Force: Legal & Behavioral Considerations, Von Kliem J.D., (Judge Advocate, U.S.Army)
 - Training and Pre-Force Conduct, Chief Gorge Villegas, LAPD.
 - Optimal Case Preparation for Officers and Experts. Cory Brent J.D., LAPD
 - Application of Human Factors to Use of Force Analysis and Courtroom Proceedings. Chris Butler, Inspector (Ret.) Canada.
 - Vehicle Dynamics and Officer Responses. Chris Lawrence, Ontario Police College at Ministry of Community and Social Services, Instructor.
 - Principles of Training, Performance, and Learning, Chris Butler, Inspector (Ret.) Canada
- Occam Video Solutions, Instructor Training in Forensic Video Examinations, Boulder, CO 16-hours – July 2018
- Occam Video Solutions, Training forensic Video Examination; Preparation for instructor status - Grant Fredericks Video Solutions. June 5-6, 2018, Vancouver, British Columbia
- Use-of-Force Summit Connecticut. November 2017:
 - Use-of-Force Legal Standards for Policy and Training- Eric Daigle;
 - Implications of Vision Perception, Cognition & Decision Making for Use-of-Force Trainers- Chris Butler;
 - Use-of-Force – Training, Transfer, Deployment and Court – Kevin Dillon;
 - Self-Inflicted Video – How police agencies use video against themselves - Grant Fredericks; and
 - Legal Reporting and Force Investigations – Eric Daigle.
- Video Forensics – Video Examinations for the Police Investigator 5/2017
- Video Forensics – Introduction, Grant Fredricks, 3/2016
- Southern Nevada Law Enforcement Academy- Basic Police Academy, 1997
- Southern Desert Regional Police Academy – Basic Police Academy, 2008
- Force Science Analyst - Force Science Institute 50-hour, 2012
- Force Science Analyst – Force Science Institute 16-hour 2013
- Force Science Advanced Analyst – Force Science Institute, 400-hour focus study- text books 2013
- Interview and Interrogation –Henderson Police Department, Ed Gieslman 2014
- Anti-Terrorism Training – LVMPD Metro
- Taser Instructor- Taser International
- Management, Oversight and Monitoring Use-of-Force- AELE
- Officer-Involved Lethal and Less Lethal Use-of-Force- AELE
- Use-of-Force, Deadly Force and Officer Involved Shootings- P.A.T.C.
- Supervisor’s Role in Managing the Use-of-Force Incident-American Council on Criminal Justice Training
- Instructor Development- FBI
- Developing Defendable Lesson Plans- IPICD, Inc.
- Excited Delirium Instructor- IPICD, Inc.

- American Heart Association CPR & AED Instructor, AHA
- Arrest-Related Death, Excited Delirium & Sudden In-Custody Death- IPICD, Inc.
- Handgun Instructor- Henderson PD
- Advanced Academy Training- H.P.D.
- Tactical Handgun Instructor- National Rifle Association
- Cognitive Interview Technique- Ed Geiselman, Las Vegas Metro PD
- Rolling Surveillance- RSI, Inc.
- Highway Interdiction- Desert Snow
- Meth Labs (Phase V)- Desert Snow
- Field Training Officer- Kaminsky & Associates
- Use-of-Force Summit 2014 – Daigle Law Group
- Use-of-Force by the Numbers – Institute for the prevention of in custody deaths Inc.
- Lethal & Less Lethal Force – A.E.L.E.
- Management, Oversight and Monitoring of Use-of-Force – A.E.L.E. update
- First Responder Training Program – Department of Homeland Security

ADDITIONAL LAW ENFORCEMENT TRAINING

Bullet Proof Mind, Lt. Col. Grossman, 2010
Pain Behind the Badge, Clark Paris, 2010
Terrorist Liaison Officer, H.P.D. 2010
Electronic Control Weapons, Legal Updates, Jack Ryan, P.A.T.C. Public Agency Training Council.
Less Lethal Force, Orleans Hotel, A.E.L.E., Americans for Effective Law Enforcement 2012.
Use-of-Force By the Numbers, John Peters, I.P.I.C.D. 2012
Glock Armorer, Sammy Paris, 2013
Arresting Communication, HITDA, Jim Glennon, 2013
Ultimate in Survival Instincts, Lifeline Training & Calibre Press. 2013
Street Survival, Calibre Press, 2013
Force Science, Officer Involved Shooting, Force Science institute, Salt Lake City, 2013
IPICD, Restraint Symposium, 2014
Force Science, legal Issues, Officer Involved Shootings, 2014
Use-of-Force Summit, Jack Ryan, Las Vegas NV, 2014
FEMA, Emergency Management Institute, Introduction to Incident command, 2008
FEMA, Emergency Management Institute, ICS for Single Resources and Initial Action Incidents, 2008
FEMA, Emergency Management Institute, ICS National Incident Management System, 2008
FEMA, Emergency Management Institute, ICS National Response Framework, 2008
Department of Homeland Security, First Responder Program, 2010

Police Officer Standards of Training P.O.S.T. Training Hours.

Delivering Constructive Criticism. City of Henderson, State of Nevada POST No. P0000492
Body Language. City of Henderson, State of Nevada POST No. P0000445
Assertiveness and Self Confidence. City of Henderson, State of Nevada POST No. P0000349
Anger Management, City of Henderson, State of Nevada POST No. P0000445
Crimes Against Persons, City of Henderson, State of Nevada POST No. P0000361
Attention Management, City of Henderson, State of Nevada POST No. P0000443
Mentally Ill, legal issues, City of Henderson, State of Nevada POST No. P0000465
Juvenile Justice City of Henderson, State of Nevada POST No. P0000493
Flying Armed, City of Henderson, State of Nevada POST No. P0000470
Business Ethics, City of Henderson, State of Nevada POST No. P0000350
Coaching and Mentoring, City of Henderson, State of Nevada POST No. P0000356
Civility in the Work Place, City of Henderson, State of Nevada POST No. P0000448
Call Center Training, City of Henderson, State of Nevada POST No. P0000447

Law Enforcement Customer Service, City of Henderson, State of Nevada POST No. P0000378
Public Speaking, City of Henderson, State of Nevada POST No. P0000403
Negotiation Skills, City of Henderson, State of Nevada POST No. P0000387
Departmental Interpersonal Skills, City of Henderson, State of Nevada POST No. P0000377
Emotional Intelligence, City of Henderson, State of Nevada POST No. P0000366
Conflict Resolution, City of Henderson, State of Nevada POST No. P0000358
Communications Strategies, City of Henderson, State of Nevada POST No. P0000357
Critical Thinking, City of Henderson, State of Nevada POST No. P0000449
Employee Motivation, City of Henderson, State of Nevada POST No. P0000450
Problem Solving, City of Henderson, State of Nevada POST No. P0000360
Crimes Against Property, City of Henderson, State of Nevada POST No. P0000362
Leadership & Influence, City of Henderson, State of Nevada POST No. P0000380

SPECIAL ASSIGNMENTS / POSITIONS

January 2019- Member of the Human Factors & Ergonomics Society

July 2018- I was invited to join the N.I.S.T. National Institute of Science and Technology, as part of the work group, WK61808: Simple measurement for CEW (Controlled Electronic Weapon) output.

Sergeant, Use-of-Force Training & Analysis Unit, Training Bureau & Police Employee Assistance Program 2017-2018 encompassing all of the below from a supervisory position.

Use-of-Force Training and Analysis Officer 2012-2016

- Forensic video review related to use-of-force
- Review Officer Involved Shootings, Use-of-Force and Critical Incident Analysis
- Use-of-Force Trainer
- Firearms & Simulator Trainer
- Lesson Plan Development
- Instructor Development
- Continuing Education for L.E. Employees
- Policy Review & Development
- C.A.L.E.A. Statistical Analysis

Training Officer (2010-2012)

1997/2001 – 2008/2011 Patrol Officer (OIC- Officer-in-Charge)

- Basic Patrol Functions
- Supervise Both Senior and Junior Officers in Patrol Operations
- Review/Approve/Reject Crime, Accident, Investigation and Use-of-Force Reports
- Directed and Managed Officers During Critical Incidents and Police Investigations
- First Responder to Homicides, Officer Involved Shootings, Suicides, Suspicious Deaths, Robberies, Suspicious Persons, and Other Police-Related Activities
- Conducted First Responder Mental Health Assessments and Involuntary Mental Health Holds
- Handled Administrative and Supervisory Tasks (Payroll, Evaluations, Coaching and Counseling)

Public Speaking Instructor/Clinician (2002-2008) *private sector*

2008 – 2010 Patrol Officer (OIC- Officer-in-Charge)

2000 – 2002 Detective-Narcotics Unit

- Plainclothes Operations
- Buy/Bust Operations
- Covert Surveillance
- Search Warrants
- Interviews
- Worked with Repeat Offender, Narcotics, Robbery and Homicide Units.

1997 – 2000 Patrol Officer / Field Training Officer / Bike Squad / Firearms instructor (OIC- Officer-in-Charge)

INSTRUCTOR EXPERIENCE

In-Service instructor – H.P.D. – Henderson, NV (2012-2018), Public Speaker/Instructor FSI® and CIR®

Full-Time Training Officer, In-Service Training for a 500-Officer Agency:

- Enhanced Force Investigations; The Cognitive Interview (Application of Science & Evidence based methods. 2019-Present (CIR®)
- Street Cop's Perspective; Human Factors and Critical Force Dynamics. 2019 -Present (CIR®)
- Force Analysis for Leadership; Organizational Concerns 2019-Present (CIR®)
- Forensic Video Review and Examination; Use-of-Force and Critical Incidents 2019-Present (CIR®)
- Force Analysis for Civilian Review Boards. (CIR®) 2019-Present
- Advanced Specialist, Lecturing on expert witness Testimony (2019-Present)
- Body Worn Camera Class, forensic video investigation for police officers (2017-2021)
- Force Science Force Dynamics/Certification Class (National) Senior Instructor
- Realities of De-Escalation (Force Science Institute)
- Essentials in Police Performance Factors and Police related Decision-Making
- Investigations related to the analysis of force incidents
- Use-of-Force in Service Patrol and Corrections
- Use-of-Force Report Writing
- Citizens Academy: Use-of-Force
- Regional Academy: Use-of-Force
- Taser (Certified)
- Firearms (Handgun & Rifle)
- Defensive Tactics (Adjunct)
- Emergency Vehicle Operations (Adjunct)
- CPR & Emergency First Aid

Public Speaking, Presentations/Instruction and lectures Related to Police Use-of-Force and Police Performance and Dynamics

- Law Enforcement & Emergency Responders Video Association Conference – LEVA — 3 day instruction. “Timing is Everything” – Co-Instructed with FVA, Ed Baker. San Diego, CA October 24-26.
- Video Review & Examination; Force Analysis Course – 2-day course, Chandler AZ 9/26-27/2022

- New Jersey Homicide Investigators Association – Lecture on Officer Involved Shootings 9/23/2022
- Leadership Perspective – Force Analysis - Iowa FOP, Polk County Attorney’s Office, Des Moines Iowa – September 2, 2022
- Enhanced Force Investigations – Cognitive Interview – Iowa FOP, Polk County Attorney’s Office, Des Moines Iowa – August 31-September 1, 2022
- Enhanced Force Investigations – Cognitive Interview – Tempe, AZ – May 24-26, 2022
- Introduction to Critical Incident report writing and statement preparation. Filmed May 23, 2022
- IALEFI – International Association of Law Enforcement Firearms Instructors – May 13, 2022
- Association of Force Investigators (AFI) – Role, Purpose and Function; Force Investigations, Review and Analysis. 60-day reading curation, Seminar-Webinar. www.forceinvestigators.com 3/2022 On-line Webinar.
- Civilian Review Board (CRB), Force Review and Analysis – Clark County, NV (presented through the Department of Justice training liaison, hosted by the University of Phoenix, Las Vegas, NV.
- Nebraska State Patrol, Enhanced Force Investigations; Cognitive Interviewing Certification Course 12/2021
- DLG-Use-Of-Force Summit, Force Investigations and Police Performance Dynamics, Investigative Track, Nov 29-Dec 3,2021
 - An Officers Truth v. The Objective Facts.
 - Developing a time-line in Use-of-Force Investigations
- Tempe AZ, Enhanced Force Investigations; Cognitive Interviewing Certification Course 11/2021
- Las Vegas NV, Wounded Blue Conference, Keynote featured lecturer 10-2021
- Little Rock AK, Force Analysis for Leadership 09/2021
- Mesa AZ, Arizona Homicide Investigators Association (AHIA) – Video Review and Force Analysis for Officer Involved Critical Incidents 09/2021
- Iowa City IA, Enhanced Force Investigations; Cognitive Interviewing Certification Course 09/2021
- Minneapolis MN, Enhanced Force Investigations; Cognitive Interviewing Certification Course 06/2021
- Association of Force Investigators (AFI), Succeeding as an Expert, 60-day reading curation, Seminar-Webinar. www.forceinvestigators.com 4/2021
- Tempe AZ, Enhanced Force Investigations; Cognitive Interviewing Certification Course 04/2021
- Mason OH, Street Cops Perspective; Critical Force Dynamics-Human Factors 04/2021
- Pepperdine University, SOL Class – Use-of-Force, investigative Review and Analysis, Opinions and conducting objective reviews. 03/15/2021
- Mesa AZ, Mesa Police Department/multi-Jurisdiction - Force Investigations; Video Analysis, Review and Examination. 02/22/2021
- Miami-Dade, Enhanced Force Investigations; Cognitive Interviewing Certification Class 02/2021
- Greater Salt Lake City Jurisdictions - Enhanced Force Investigations; Cognitive Interviewing Certification Class 01/2021 Little Rock AR - Enhanced Force Investigations; Cognitive Interviewing Certification Class 12/8-10/2020
- Webinar – Calibre Press, The Dynamics, Science and Liabilities of Force Events. 11/17/2020 (sold out) 1000 participants.
- Tempe AZ - Enhanced Force Investigations; Cognitive Interviewing Certification Class 11/10-13/2020
- Video Examination Seminar: AFI – “See it for what it is.” 8/2020
- International Law Enforcement Training Symposium, Investigator Influence on Force Investigations/Officer Interviews related to Officer involved Critical Incidents, C.I.R. July 23, 2020

- Input Ace Training Symposium - Investigator Influence on Force Investigations/Officer Interviews related to Officer involved Critical Incidents, C.I.R. June 2-5, 2020
- San Bernardino - San Bernardino Sheriff's Department, Force Investigation Strategies and Cognitive Interviewing, C.I.R. March 12-13, 2020
- Atlanta, GA - S.I.F.I.R. Conference, Force Investigative Strategies and Cognitive Interviewing February 25-26, 2020
- Ontario, CA – Force Dynamics/Certification Class, - January 9-13, 2020
- Fort Lauderdale, FL - Force Dynamics/Certification Class, - December 9-13, 2019
- DLG-Use-Of-Force Summit, Force Investigations and Police Performance Dynamics, Dec 3-5
- Miami-Dade, FL. Two-Day Fundamentals/Force Dynamics and Decision-Making, December 2-3, 2019
- Dickenson, ND. Two-Day Fundamentals/Force Dynamics and Decision-Making, Multiple Jurisdictions November 7-8, 2019
- Chicago, IL. Force Dynamics/Certification Class, - November 4-8 2019
- Omaha, NE Force Dynamics/Certification Class, - October 21-25, 2019
- Ocean City, MI. Chiefs and Sheriffs Conference. Use of Force Dynamics October 12, 2019
- San Bernardino, CA. Two-Day Fundamentals/Force Dynamics and Decision-Making/Force Dynamics and Decision-Making, multiple Jurisdictions October 8-9, 2019
- Las Vegas NV, Fundamentals – Arizona Homicide investigations Conference
- Braintree MA, MA Chiefs of Police, Force Investigations, Police Performance Dynamics. September 26, 2019
- Alexandria VA, Force Dynamics/Certification Class, Homeland Security - September 23-27.
- Lenexa KS, Three-Day Fundamentals with Video review component. Sept. 18-20
- Ocean City, MD. Lecture at Chiefs of Police & Sheriff's Conference.
- Crested-Butte, CO. Two-Day Fundamentals/Force Dynamics and Decision-Making/Force Dynamics and Decision-Making, Crested-Butte CO./multiple Jurisdictions August 26-27, 2019
- Miami-Dade FL. Two-Day Fundamentals/Force Dynamics and Decision-Making/Force Dynamics and Decision-Making, Miami-Dade/multiple Jurisdictions July 30-August 1, 2019
- Pineville LA. Two-Day Fundamentals/Force Dynamics and Decision-Making, US Marshals SPEC OPs group July 17-18, 2019
- Greensboro NC. Investigative strategies, Internal Affairs Conference. July 12-13, 2019
- Harrisburg, PA. Two-Day Fundamentals/Force Dynamics and Decision-Making, June 12-13, 2019 (106)
- Aurora, CO. Force Dynamics/Certification Class, June 3-7, 2019 (105)
- Santa Rosa, CA. Two-Day Fundamentals/Force Dynamics and Decision-Making One-Day Video Examinations (104)
- Connecticut Chiefs of Police Association, Police Performance Dynamics, Force Investigations and Video Examinations. C.I.R. May 21-23, 2019 (103)
- Nashville, TN Force Dynamics/Certification Class, May 6-10, 2019 (102)
- Spokane, WA Two-Day Fundamentals/Force Dynamics and Decision-Making One-Day Video Examinations class April 29-May 1, 2019 (101)
- Kansas City, KS Two-Day Fundamentals/Force Dynamics and Decision-Making Class April 23-24, 2019 (100)
- Hillsboro, OR Video Examinations, C.I.R.
- Des Moines, IA One Day Fundamentals FSI, Video Examinations- C.I.R. April 18, 2019
- Jamestown, NC. Force Dynamics/Certification Class, April 9-10, 2019

- Austin TX, Force Dynamics/Certification Class, April 1-5, 2019
- San Diego CA, IACP Legal Officers Track, Investigations Lecture
- Seattle WA, Force Dynamics/Certification Class, March 10-14, 2019
- Henderson NV, Force Dynamics/Certification Class, February 24-29, 2019
- San Francisco CA, Force Dynamics/Certification Class, February 4-8 2019
- Harrisburg PA, Foundational Principles Course, January 30-31 2019
- Scottsdale AZ, Force Dynamics/Certification Class, Multiple Jurisdiction, January 14-18, 2019
- Orlando FL, Force Dynamics/Certification Class, Multiple Jurisdiction, December 10-15, 2018
- Hartford CT, DLG – Use of Force Summit, November 27-30, 2018
 - Use of Force and Bio-Mechanics/decision making in crisis
 - Use of Force Investigations and video review
- Henderson NV, Force Dynamics/Certification Class, Multiple Jurisdiction, November 12-16, 2018
- Austin Texas, Department of Public Safety, Force Dynamics/Certification Class, Multiple Jurisdiction, October 29, 2018
- Chicago IL., Directors Invited Guest Speaker, Association of Force Science Conference, October 24, 2018
- Chicago IL., Multiple Jurisdiction, Body Worn Camera Class, FSI, October 23, 2018
- Sacramento, CA. Multiple Jurisdiction, FSI Force Dynamics/Certification Class October 1-5, 2018
- Cumberland, IN. Multiple Jurisdiction, FSI Three-Day Police Performance Factors and Body Worn Camera Class. C.I.R. October 9-11, 2018
- Knoxville, TN. Multiple Jurisdiction, FSI Force Dynamics/Certification Class October 1-5, 2018
- Kansas City, MO. Multiple Jurisdiction, FSI Force Dynamics/Certification Class September 10-15, 2018
- Body Worn Camera Class, Oklahoma City, OK, September 5-6, 2018
- Assistant instructor, Forensic Video Investigations for Law Enforcement, Boulder, CO. July 9-10, 2018
- St. Louis MO., Virtra Simulator, FSI Two-Day Police Performance Elements, July 19-20, 2018
- Aroura, CO. Multiple Jurisdiction, FSI Force Dynamics/Certification Class June 5-9, 2018
- Westhampton NJ, Multiple Jurisdiction, FSI Two-Day Police Performance Elements, May 24-25, 2018
- Chicago IL, Multiple Jurisdiction, Force Science Certification Course, 2018 May 21-25
- Evansville IN, Multiple Jurisdiction, FSI Two-Day Police Performance Elements, May 15-16, 2018
- Alexandria VA, Multiple Jurisdiction, Force Science Certification Course, 2018 April 30-May 4
- Santa Rosa CA, Multiple Jurisdictions, FSI Two-Day Police Performance Elements, Basics April 24-25, 2018
- Chicago IL, Multiple Jurisdiction, Force Science Certification Course, April 15-19, 2018
- Montrose CO, Multiple Jurisdictions, Two-Day Police Performance Elements, Basics April 9-10, 2018
- Glynco GA, United States Marshal Service and ATF F.L.E.T.C. April 2018
- San Diego CA, Multiple Jurisdiction, Force Science Certification Course, January 22-26, 2018
- Orlando FL, Realities of De-Escalation Class, FSI January 30-31
- 2018 Scottsdale AZ, Multiple Jurisdiction, Force Science Certification Course, December 11-15, 2017
- Orlando FL, Multiple Jurisdiction, Force Science Certification Course, December 11-15, 2017
- Chicago IL, Multiple Jurisdictions, Realities of De-Escalation Class, FSI Nov 8-9, 2017
- Clackamas OR, Two-Day Presentation for Training Officers, October 24-25, 2017
- Boston MA, Multiple Jurisdictions, Daigle Law Group, One-Day Course for Investigations October 18, 2017
- Boise ID, Multiple Jurisdictions, Force Science Institute Two-Day class, August 31-1, 2017

- Orlando FL, Realities of De-Escalation Class, FSI August 3-4, 2017
- Huston TX, National Tactical Officers Association, Legal Summit, June 20, 2017
- Harrisburg PA, Multiple Jurisdiction, Force Science Certification Course, May 8-13, 2017
- Aurora CO, Multiple Jurisdiction, Force Science Certification Course, June 5-9, 2017
- Chicago IL, Multiple Jurisdiction, Force Science Certification Course, May 8-13, 2017
- Las Vegas, NV, Multiple Jurisdiction, Force Science Certification Course, April 10-14, 2017
- Fort Collins CO, Multiple Jurisdictions, Force Science Institute Two-Day Class, October 2017
- Austin TX, Multiple Jurisdiction, Force Science Certification Course, February 20, 2017
- Scottsdale AZ, Multiple Jurisdiction, Force Science Certification Course, January 23-27, 2017
- National Tactical Officers Association, S.H.O.T. Show, Las Vegas NV. January 17, 2017
- DLG Use-of-Force Summit, Mohegan Sun Resort, Uncasville, CT November 28 - December 1, 2016
- Hillsboro OR, Multiple Jurisdiction, Force Science Institute Force Dynamics/Certification Class November 13–18, 2016
- West Valley UT, Multiple Jurisdiction, Force Science Institute Force Dynamics/Certification Class October 22-26, 2016
- ATOA, Arizona Tactical Officers Association. Public Speaking Police performance Factors and Tactical Application
- Wichita KS, Multiple Jurisdictions, Force Science Institute Two-Day Class, October 2016
- IACP, International Chiefs of Police, Legal Officers Section, Public Speaking on Police Performance Factors and the Legal Standard.
- Bakersfield CA, Multiple Jurisdictions, Force Science Institute Two-Day Class, September 2016
- Scottsdale AZ., Multiple Jurisdictions. Force Science Institute Force Dynamics/Certification Class, September, 2016
- Garfield County, CO. Multiple Jurisdiction, Force Science Institute Force Dynamics/Certification Class June 20-21, 2016
- N.T.O.A. National Tactical Officers Association, Legal Defense Summit, Chandler AZ, June, 2016
- FBI NAA, California Law Enforcement Executive Development Seminar, Lake Tahoe, May, 16, 2016
- A.P.O.A. Juneau AK, May 10-12, 2016
- Redwood City, CA, April 25-26, 2016
- Chicago IL, Force Science Institute, April 11-12, 2016
- Little Rock, AR, April 1-2, 2016
- LVMPD, LV NV, LVPPA March 23, 2016
- Milford CT, One-Day with the Daigle Law Group Multiple Jurisdiction, March 17, 2016
- Modesto CA, Two-Day Force Science Class, March 13-14, 2016
- Las Vegas NV, Force Science Certification Course, February 8-12, 2016
- Davenport IA, Two Day Course, February 2016
- Austin TX, Certification Course, January 2016
- Dallas, Fort Worth TX, Two-Day Course, January 2016
- DLG – Use-of-Force Summit (Uncasville, CT), December 2015
- Richmond VA, Virginia State Police, Two-Day Course, November 2015
- Chicago IL, Force Science Institute, Certification Course November 2015
- Fairfax VA, Department of Homeland Security, Two-Day Course November 2015
- Lansing MI, Michigan State Police, Two-Day Course, October 2015
- San Antonio TX, Certification Course, October 2015

- Chicago IL, Force Science Institute, Certification Course, September 2015
- Tactical Development Conference (Aurora, CO)- September 2015
- Lakewood Washington, Two Day Course, August 2015
- Salem OR, Oregon Department of Public Safety, Two-Day Course, June 2015
- Alexandria Virginia Dept. of Homeland Security, Certification Course, May 2015
- FBI National Academy Associates, Inc. (Sacramento, CA), May 2015
- California Peace Officers Association (Sacramento, CA), May 2015
- Chicago IL, Force Science Institute, Certification Course, April 2015
- Hayward CA, Hayward City Hall, Certification Course, March 2015
- Seattle WA, Washington State Criminal Justice Training Commission, February 2015
- Henderson NV, Henderson Police Department, Certification Course, January 2015
- Centennial CO, Certification Course, August 2014
- Madison WI, Certification Course, July 2014
- Alexandria VA, Department of Homeland Security, Certification Course April 2014
- Department of Homeland Security (Washington, DC) 2013

Awards & Commendations

- Miami-Dade, Certificate of Appreciation for presentation. September 2019
- MD Chiefs of Police, Certificate of Appreciation. September 12, 2019
- Central Indiana Chiefs, Certificate of Appreciation for presentation June 2019
- Arizona Tactical Officers Association, Award for Appreciation of Service, October 2016
- International Association of Chiefs of Police (I.A.C.P.), Legal Officers Section Appreciation for Service, October 2016.
- FBI Certificate of Appreciation, FBI CAL-LEEDS
- FBINAA, Academy Associates, California Chapter – Appreciation for Service May 16, 2016

Department Awards & Commendations

- S.O.A.R. (Safety Officers Recognition Award) State of Nevada, September 2016
- PERF Nomination for Innovative Police Practices (Creation of the “Use-of-Force Training and Analysis” Position)
- C.A.L.E.A. Gold Standard for Excellence Related to Use-of-Force Training and Policies
- I.C.M.A., Named the “National Model” for Use-of-Force and Associated Training and Policy Practices
- I.A.C.P. cited H.P.D. as One of the Top Five Most Innovative Police Departments in Use-of-Force Management and Oversight, Featured on Webs Edge TV at I.A.C.P. 2014
- 2013 Henderson Police Department Training Officer of the Year
- Leadership Award, Henderson Police Department 2008

Articles and Videos and Published Work

- Police Magazine - **Focus of Attention: Integrating Heady Concepts into Regular Police Training.**
- Police One – Podcast 318; Policing Matters, Force Review & Analysis
- Article - **Thinking Point; Consistency within Complexity**
- ILETS Round Table Discussion, Kim Potter Trial, Criminalizing Human Error. <https://lnkd.in/eAXZAWyh>
- Use-of-force experts create cutting-edge courses on investigation of officer-involved critical incidents - <https://www.lawenforcementtoday.com/use-of-force-experts-create-cutting-edge-courses-on-use-of-force-incidents/>
- **What happened?** <https://calibrepress.com/2020/12/what-happened/>
- [https://www.lawenforcementtoday.com/officers-being-charged-with-crimes-is-it-a-false-premise/Law Enforcement Today](https://www.lawenforcementtoday.com/officers-being-charged-with-crimes-is-it-a-false-premise/Law-Enforcement-Today)
- Policy Matters, Vegas Beat Magazine May 2016 available at <http://digital.911media.com/i/678564-may-june-2016>.
- Winning Mind Training interviews www.winningmindtraining.com
 - Development of a Use of Force Training and Analysis Unit
 - Digital video review – technical limitations of video
- Development of rote behavior, <https://CriticalIncidentReview.com> (briefing discussions)
- ILETS – Investigator Influence on Video Examination. International presentation of the International Law Enforcement Training Symposium. July 2020
- AFI – Succeeding as an Expert – Lecture
- Article – Opinions without Foundation, LinkedIn – Calibre Press 2021
- De-Escalation – Scenario breakdown, Calibre Press, CIR 2020



Critical Incident Review

3870 E Flamingo Rd. Suite #511 Las Vegas, Nevada 89121

FEE SCHEDULE AGREEMENT

CASE REVIEW AND OPINION*

A complete review of all materials furnished will be done on a timely basis, and a written opinion will be completed, if requested. A review of materials provided will be performed at the rate of \$300 per hour, with a minimum of 18.0 hours (\$5,400) required in advance of commencement of the review. The \$5,400 fee is non-refundable and is the minimum fee for all case file reviews. The fee must accompany this signed Fee Agreement acknowledging Consultant James Borden's participation in the case as an expert. After the retainer has been paid, the first 18 hours of case work will be billed at "\$0.00." As case work and reporting continues, any hours over the 18-hour minimum will be billed hourly. The retainer fee is not an amount due over and above the hours required to complete the review, analysis, and reporting function.

Designating James Borden as an expert in any case matter without signing the Fee Agreement or providing payment of the minimum \$5,400 fee is prohibited. All work performed, exclusive of depositions, trials, conferences and site inspections, which will have separate and additional fees discussed below, will be assessed at a rate of \$300 per hour. All materials must be sent in an agreed upon manner. These documents should be indexed to clarify receipt of same.

Once retained, a review of the case will commence. If the fee arrives before case materials are sent or received, the receipt of the fee is considered agreement to retain. Receipt of case materials or listing James Borden as your expert or potential expert without the fee enclosed will be considered an obligation and commitment to pay the minimum \$5,400 fee and to meet this Fee Agreement in its entirety. Timing of settlements, summary judgment, or any other action that might impact the case either before or after the \$5,400.00 fee has been paid will have no effect on the obligation to meet the requirements of this agreement and to pay the required fees.

VIDEO REVIEW AND ANALYSIS / AUDIO EXTRACTION

In case video review *and extensive analysis* are the focus of the case, the review and analysis of the video will be assessed at a rate of \$300.00 per hour. This does not include simple video review which is considered a standard element of the case review and is included in the retainer fee above. Audio extraction is separate and complex and requires a minimum of three (3) hours to initiate and diagnose probability of success at \$300.00 per hour. This includes transfer of the audio file into a treatable format, and frequency identification. After acceptance, the extraction process is \$250.00 per hour.

TRIAL TESTIMONY

A thorough case preparation and analysis will be completed prior to trial and billed at a rate of \$300.00 per hour. James Borden will reserve the agreed upon trial day and travel to the trial site for a fee of \$2,500.00, plus all travel expenses as outlined below, for each day or portion of a day testifying. Any standby days/portions of a day awaiting trial will be assessed at \$1,500.00 per day. If James Borden attends the trial, but is not called to testify on that day, the trial fee of \$2,500 will be assessed for the days while waiting to testify. Repeat trips to trial will be billed similarly. All fees



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incurred in connection with testifying – including preparation fees, standby fees, travel expenses, or other outstanding case fees – must be paid before James Borden takes the stand. Additional travel expenses will be billed. The trial fee will be charged if the case is settled, or otherwise dismissed, or rescheduled, within 72 hours, (excluding Saturday and Sunday) of scheduled testimony.

The trial preparation fee, based upon actual hours of preparation time, will be assessed if cancellation of trial testimony occurs within two weeks (14 days) of scheduled testimony, as trial preparation will have been completed. Cancellation fees are due within 15 days' notice of cancellation or settlement.

DEPOSITIONS

Payment for deposition is due in the office of Critical Incident Review (C.I.R.) three (3) days prior to the scheduled deposition. If compensation has not been received in this time frame, it will be assumed council chooses not to proceed with the deposition. Checks will be made Payable to James Borden.

Depositions conducted virtually whereby James Borden is deposed online from the CIR office will be billed at a two hour minimum of \$300.00 per hour (\$600.00) any time over the minimum will be billed accordingly based on actual time being deposed calculated to 6 minute increments. Virtual Depositions at a location other than the Office of CIR will be charged a three-hour minimum (\$900.00). Depositions, at a location selected by the deposing counsel or the court of jurisdiction, will be billed for a fee of \$1,200.00 for a four-hour minimum, plus any incurred expenses. If a deposition exceeds more than four (4) hours, any additional hours, or parts thereof, will be billed at the hourly rate of \$300.00, with a maximum of seven (7) hours of testimony per day. Depositions scheduled out of state at locations convenient to the deposing counsel will be billed at a rate of \$2,500 per day plus all travel expenses. A full eight (8) hour day, (seven (7) hours maximum testimony time) will be set aside by James Borden and no other business will be scheduled regardless of the beginning hour of the deposition. The retaining firm shall represent the above deposition fees and payment policies to opposing counsel before the deposition and, in the event of any disagreement as to the amount; the firm retaining James Borden shall pay the difference or, if necessary, the full amount, in accordance with this deposition fee schedule, three days prior to the commencement of the deposition. Live Video Recorded Depositions will be billed at the same rate as trial testimony (\$2,500.00).

If a case settles within forty-eight (48) hours prior to the scheduled deposition date, a \$1,500.00 cancellation fee will be assessed. Failure of either party to provide payment of the fees prior to deposition will result in cancellation of deposition with the cancellation fee of \$1,500.00 assessed. The cancellation fee will be charged as a separate expense, independent of any future deposition fee, which will be billed in accordance with this agreement. Fees are due within fifteen (15) days of cancellation or settlement. Deposition preparation and review of case materials will be billed at a rate of \$300.00 per hour. Deposition and trial fees are required to be paid three (3) days in advance of expected testimony or James Borden reserves the right to not appear.

SITE INSPECTION AND INVESTIGATION OR CONFERENCE REQUESTS

James Borden agrees to travel to the site of the incident in question, if requested, and complete a thorough investigation or meet for conference, if necessary, in order to prepare for trial. An inspection,



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investigation, or conference day fee (including in Nevada) is a flat \$2,500.00 per day (or any part of a day), plus all travel expenses. These fees shall be paid upon arrival, or at the time of conference.

TRAVEL EXPENSES

James Borden will request that airline, hotel, and car rental reservations be booked by his travel agent to facilitate coordination of his schedule. If required by the client, travel expenses will be estimated, including air fare, vehicle rental, hotel accommodations, meals, taxi, and will be invoiced in advance of commencement of travel. An invoice will be prepared including all relevant time and expenses and submitted after the trial dates. An unrestricted coach ticket will be required for all air travel. Any additional upgrades regarding air travel, lodging, and ground transportation, outside of standard requirements are the responsibility of James Borden and will not be billed to the client.

PROOF OF SERVICE

I, Muna Busailah, declare as follows:

I am employed in the County of Los Angeles, State of California. I am over 18 years of age and not a party to this action. My business address is Stone Busailah, LLP, 1055 E. Colorado Boulevard, Suite 320, Pasadena, CA 91106.

On the date below I served a true copy of the following document(s):

DEFENDANTS' JOINT INITIAL DISCLOSURE OF EXPERT WITNESSES

on the interested parties to said action by the following means:

☐ **(BY MAIL)** By placing a true copy of the above, enclosed in a sealed envelope with appropriate postage, for collection and mailing following our ordinary business practices. I am readily familiar with this businesses' practice for collecting and processing correspondence for mailing. On the same day that the correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

☒ **(BY E-MAIL or ELECTRONIC TRANSMISSION)**
I caused the documents to be sent to the persons at the e-mail addresses listed below. I did not receive, within a reasonable period of time, after the transmission, any electronic message or other indication that the transmission was unsuccessful.

☒ **FEDERAL:** I hereby certify that I am employed in the office of a member of the Bar of this Court at whose direction the service was made. I hereby certify under penalty of perjury that the foregoing is true and correct.

Executed on February 16, 2024 at Pasadena, California.

DD

DINA M. DANIAL

SERVICE LIST

DALE K. GALIPO

SHANNON J. LEAP

Law Offices of Dale Galipo

21800 Burbank Boulevard Suite 310

Woodland Hills, CA 91367

818-347-3333

Fax: 818-347-4118

Email: dalekgalipo@yahoo.com / sleap@galipolaw.com

and

LUIS A. CARRILLO

MICHAEL S. CARRILLO

Carrillo Law Firm LLP

1499 Huntington Drive Suite 402

South Pasadena, CA 91030

626-799-9375

Fax: 626-799-9380

Email: lac4justice@gmail.com / mc@carrillofirm.com

Attorneys for Plaintiffs Margarito T. Lopez, Sonia Torres, Keni Lopez and Rosy Lopez